Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant



THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

This Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Amended Acknowledgment and Amended Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Sevier County known as 1027da Poverty Flat Road; County Road Number: 6487; State Geographic Information Database (SGID) Road Identification Number: RD210089.

This document supplements and supports the information contained in the document first recorded at **Doc** # 00344683, Bk 0561, Beg Pg 0494, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on 2/13/2008 at Doc #00352498 Bk 0591, Beg Pg 0708. A legal description is attached hereto as Exhibit B.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 25th day of . 2008.

By the Governor's Designee

CERTIFICATION

State of Utah : \$\$ County of Salt Lake

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

NOTARY PUBLIC
PAMELA Z. BLACKHAM
5110 State Office Bldg
Salt Lake City, Utah 84114
COMMISSION EXPIRES May 3, 2011 STATE OF UTAH

Dated this 25th day of fune, 2008.

Panels J. Blackham

Exhibit A

DOC # 00354979

Affidavits B: 0603 P: 0110

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AFFIDAVIT OF JOAN ANDERSON POVERTY FLAT ROAD

SEVIER COUNTY, UTAH

COUNTY ROAD NUMBER 6487

State of Utah)
	: SS
County of Sevier)

JOAN ANDERSON, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Marysvale, Piute County, Utah. I have lived in Piute County 65 years.
- 2. I have traveled and am familiar with a road in Sevier County known as the Poverty Flat Road County Road Number 6487). I am also familiar with the land the road traverses. When I first used and observed the road in the late 1940's and the early 1950's, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing Poverty Flat Road (County Road Number 6487). To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County also identifies this road according to the road number
 listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1940's and the early 1950's and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including mining trucks, pickups, ten wheelers, ATV's and horses. Throughout this time period, the road has been used daily, weather permitting.

DOC # 00354979

Affidavits B: 0603 P: 0111

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- 5. Throughout the time period from the late 1940's and the early 1950's to 2006, I have used the road myself for the following uses: Rock hounding, geo caching, rabbit hunting, wood gathering, and sightseeing.
- 6. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: Ranchers herded livestock through there, and they still do.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900's and continuing through 1976 to 2006, for the uses described in the previous paragraphs, plus the following uses:

 Recreation, wood gathering, and looking for water out there.
- 8. Prior to 1976, I observed graders performing maintenance/construction activities on the road.

DATED this _/_ day of November, 2006.

JOAN ANDERSON

SUBSCRIBED AND SWORN to before me this _/6 day of November, 2006.

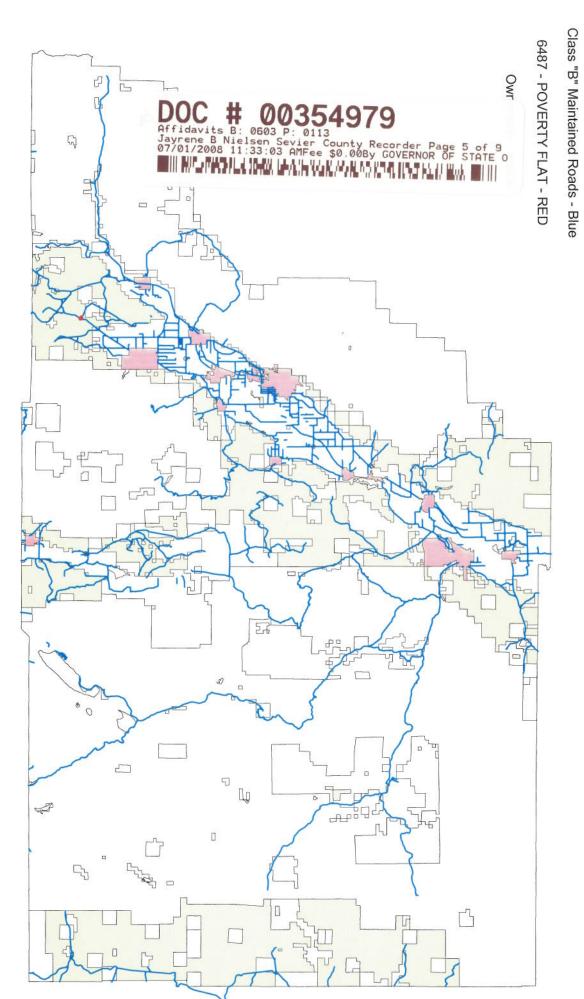
Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

Mora Schrades NOTARY PUBLIC

DOC # 00354979

Affidavits B: 0603 P: 0112

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SEVIER COUNTY RS2477 October 18, 2006

AFFIDAVIT OF DALLIN MAGLEBY POVERTY FLAT SEVIER COUNTY, UTAH COUNTY ROAD NUMBER 6487

State of Utah)
	: ss.
County of Sevier	

DALLIN MAGLEBY, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Monroe, Sevier County, Utah. I have lived in Sevier County since 1931.
- 2. I have traveled and am familiar with a road in Sevier County known as Poverty Flat (County Road Number 6487). I am also familiar with the land the road traverses. When I first used and observed the road in the 1940's, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing Poverty Flat (County Road Number 6487). To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1940's and continuing through 1976 to 2006.

 During this time period I have observed travel on the road by means of all types of vehicles such as ATV's, pickups, trucks horses and trailers. During this time period, the road has been used daily.
- 5. During the time period from the 1940's to 2006, I have used the road myself for recreation and to access the canal with my backhoe.
- 6. During the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses:



oil and gas exploration, prospecting for minerals, government access, wood gathering, livestock operations, tourism, recreation, hunting, accessing the canal and traveling in and through the area.

- It is also the reputation in the community that this road has been open to the public for 7. all to use, to come and go as they pleased, since at least as early as the 1940's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.
- I personally observed graders performing maintenance/construction activities on the 8. road prior to 1976.

DATED this ____ day of November, 2006.

DALLIN MAGLEBY

SUBSCRIBED AND SWORN to before me this 4th day of November, 2006.

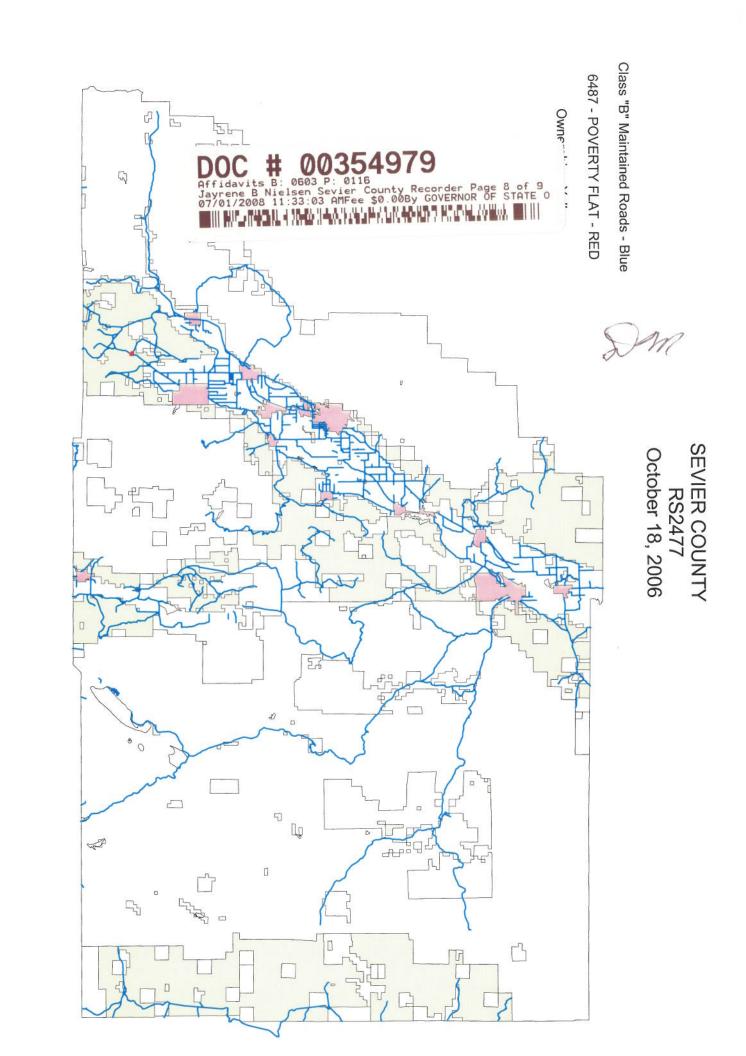


Exhibit B

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: 1027da_Poverty Flat Road

County: Sevier

County Road Number: 6487

State Geographic Information Database (SGID) Road Identification Number: RD210089.

Total Road Length: 0.13 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 33 minutes 47.27 seconds North Latitude and -112 degrees 10 minutes 27.52 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,447,574.0 feet and Y = 6,646,099.5 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 33 minutes 42.96 seconds North Latitude and -112 degrees 10 minutes 21.05 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,448,085.4 feet and Y = 6,645,658.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 26 South Range 3 West, Section(s) 6, Salt Lake Base & Meridian

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DOC # 00354979

Affidavits B: 0603 P: 0117

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